

**4-3-12 Injunctions -- Bond not required -- Standing to maintain private action -- Damages authorized.**

- (1) The commissioner is authorized to apply to any court of competent jurisdiction for a temporary restraining order or injunction restraining any person from violating this chapter. No bond shall be required of the department in any proceeding brought under this subsection.
- (2) In addition to penalties provided in this chapter, any person who suffers or is threatened with injury from any existing or threatened violation of Section 4-3-11 may commence an action in any court of competent jurisdiction for damages and, if proper, injunctive relief. Any organized and existing trade association, whether incorporated or not, is authorized to institute and prosecute a suit for injunctive relief and damages, as the real party in interest, on behalf of one or more of its members if the violation of Section 4-3-11 directly or indirectly affects a member.

Enacted by Chapter 2, 1979 General Session